

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JAMES NYGAARD,**

**Plaintiff,**

**vs.**

**JOHN P. CHEATHAM, M.D.,**

**Defendant.**

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**8:05CV403**

**ORDER**

This case is before the court on the defendant's unopposed Motion in Limine (#46).

The motion is granted and the plaintiff is prohibited from presenting, either through witness testimony, documentation, or comments of counsel, the following issues:

1. The lawsuit history of any expert witness or the defendant John Cheatham M.D., including any FDA investigations undertaken concerning Dr. Cheatham.
2. Any statements from the plaintiff or his parents concerning what doctors told them about the standard of care received, or that the care received by the plaintiff was substandard.
3. Any testimony by the plaintiff or his parents that would equate to expert medical opinion testimony.

**IT IS ORDERED:**

The defendant's Motion in Limine (#46) is granted.

Dated this 20<sup>th</sup> day of September 2007.

BY THE COURT:

s/ F. A. Gossett  
United States Magistrate Judge